

OVERVIEW OF ENVIRONMENTAL PERMITTING FOR TRANSPORTATION PROJECTS

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Study Mandate

The Transportation Performance Audit Board (TPAB) assigned this overview to the Joint Legislative Audit and Review Committee (JLARC). The review emphasizes successful initiatives to increase the speed and reduce the cost associated with the permitting process while maintaining environmental standards.

Study Approach

This review has three major components: 1) a review of the current environmental permitting process and streamlining efforts in Washington State; 2) a review of environmental permit streamlining in other states; and 3) a comparison of Washington's streamlining experiences to successful strategies of other states. Information on streamlining programs was gathered through extensive in-person and telephone interviews in Washington and 24 other states.

Summary of Findings

A cross-state comparison of streamlining activities demonstrates that Washington is a national leader in promoting environmental permit streamlining for transportation projects. Examples of successful efforts to streamline the permitting process in Washington include:

- Northwest Region Multi-Agency Permitting (MAP) Team to improve agency coordination and speed permitting;
- Development of on-line applications for multi-agency aquatic permits;
- Creation of common environmental standards across agencies for many routine maintenance and operations activities, allowing broad multi-year ("programmatic") permits to replace project-specific permits;
- WSDOT liaison program to fund natural resource agency staff dedicated to processing permits for transportation projects; and
- Transportation Permitting Efficiency and Accountability Committee (TPEAC) activities which encourage individual agencies to start additional streamlining initiatives.

Based on their advanced permit streamlining efforts, ten state Departments of Transportation (DOTs) were selected as a focus group for prioritized survey efforts. An additional 14 DOTs also participated in an abbreviated survey concerning their permit streamlining activities. Two common themes emerged from the analysis of management-related success factors and the successful strategies of other states:

- The importance of creating a cultural change to encourage creativity and non-traditional methods of efficiently solving permitting issues; and
- The value of information technology to create efficiencies through integrated databases and geographic information systems.

General Conclusions

The internal review of Washington State's streamlining program evaluated the success of 38 streamlining activities or areas. Although a number of these activities are still under development or are too early in their development to be adequately assessed, several activities were found to perform favorably relative to the assessment criteria of 1) reduced time, 2) reduced costs, 3) improved environmental performance, and 4) stakeholder satisfaction. However, based on the comparison of permit streamlining programs in Washington State and 24 other state DOTs, there are two sets of JLARC recommendations: suggested management recommendations to the streamlining process that could be implemented or investigated without additional TPAB research and options for future TPAB audit/study topics.

Summary of Management Recommendations

Recommendation 1 — WSDOT should investigate the types of project delivery designs being implemented in Florida and Minnesota. Analyses of the Florida and Minnesota efforts to revamp how transportation projects are designed should provide valuable insights into streamlining activities to improve project quality and timeliness. WSDOT staff has been in contact with the Florida DOT to obtain information on their process.

Recommendation 2 — WSDOT and the natural resource agencies should consider standardizing geographic information system (GIS) and other relevant electronic data so that they can be easily exchanged within and across agencies and among external stakeholders. Enhances efficiency by maximizing use of available information, avoids time and cost associated with data conversion and provides an effective mechanism for communicating complex information with stakeholders. WSDOT has requested funding for a critical systems assessment which could help address this area.

Recommendation 3 — WSDOT and the natural resource agencies should investigate the use of the best available scientific information as a substitute for project field survey work. Use of the best available scientific data avoids costly and time-consuming field work. WSDOT, Ecology and the Washington Department of Fish and Wildlife should examine the scientific literature to determine areas in which current research could credibly replace field work.

Recommendation 4 — WSDOT and the natural resource agencies should define a work plan for environmental regulatory process improvement.

Options for Future Audit/Study Topics

Audit/Study Topic 1 — Assess the progress and effectiveness of the implementation of the WSDOT environmental management system, including environmental stewardship and sustainability, in its core business processes. Determine the extent to which the WSDOT environmental management system has been incorporated into day-to-day decision-making and project management and its impact on environmental outcomes. Provide recommendations, if necessary, on changes to training, project management, and information systems to better utilize the environmental management system and gain desired environmental outcomes.

Audit/Study Topic 2 — Assess the effect of resource agency employee turnover on the environmental permitting process for transportation projects. This analysis would include strategies for employee retention at resource agencies, as well as the effect of turnover, transfers, and temporary assignments on the efficiency and effectiveness of permit review. The primary objective is to quantify the extent to which employee turnover in Washington State resource agencies results in delayed project permitting or ineffective permit review. If the effects of employee turnover are determined to be important, a review of employee retention strategies in other states' resource agencies will be conducted.

Audit/Study Topic 3 — Identify performance measures such as length of time to complete project permitting, costs of permitting efforts, and costs of mitigation that could be added to the existing WSDOT measures on environmental impact statements and environmental compliance. Expand the existing WSDOT performance measures on environmental outcomes to include permit process measures. The establishment of these measures would enable WSDOT and resource agencies to better identify mechanisms to reduce the time and cost of environmental permitting while maintaining desired environmental standards.

Audit/Study Topic 4 — Analyze the business process flow associated with environmental permitting for transportation projects. This analysis would identify the factors which result in the longest delays and/or highest costs in the permitting process. Once the major delay and cost factors are identified, a follow-up analysis would investigate methods to address these factors (which may include current or proposed streamlining initiatives).